

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

BANCORP SERVICES, L.L.C.,)	
)	
Plaintiff,)	
)	
vs.)	No. 4:00-CV-1073 (CEJ)
)	
SUN LIFE ASSURANCE COMPANY)	
OF CANADA,)	
)	
Defendant.)	


ORDER

This matter is before the Court on plaintiff's motion to compel the depositions of defendant's witnesses. Defendant has filed a memorandum in opposition to the motion, and the issues are fully briefed.

Plaintiff served notices to take the depositions of individual fact witnesses and of defendant's designated representative pursuant to Fed. R. Civ. P. 30(b)(6). Defendant indicated that it would not produce witnesses to testify regarding damages and willfulness until after the Court ruled upon its pending motion to bifurcate proceedings. Defendant also stated that it could not adequately prepare its witnesses because plaintiff had refused to produce documents from the Hartford and MetLife actions. Finally, defendant asserted that it was likely that its witnesses would be asked to testify about the confidential information of third-party Analect, LLC. Since the completion of briefing on this motion, the Court has issued rulings that moot all of defendant's objections.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion to compel deposition of defendant's witnesses [#141] is **granted**. The defendant shall produce the witnesses for deposition in accordance with the new depositions notices issued by plaintiff.



CAROL E. JACKSON
UNITED STATES DISTRICT JUDGE

Dated this 27th day of February, 2007.